

THE TOWN OF FOREST HEIGHTS

RESOLUTION 76-17

A RESOLUTION TO APPROVE A TELEPHONE CONTRACTOR FOR 606 MODOC LANE

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

WHEREAS, the Town Charter typically requires that purchases above \$10,000.00 shall be made on written contract and shall be obtained by the advertisement for sealed bids for all such written contracts; and

WHEREAS, the Town Charter further permits the Council by two-thirds vote to waive the competitive bidding requirements of Section 33-63 of the Charter for good cause shown for sole source procurements of unique products and services; however, written findings as to the basis of such waiver shall be placed into the minutes; and

WHEREAS, according to the National Association of State Procurement Officials ("NASPO") a "sole source" procurement can be defined as any contract entered into without a competitive process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements; and

WHEREAS, Section 20.4 of the Town Ordinance Code states that the Council may exempt the purchase from the competitive selection process when the purchase qualifies as a sole-source procurement as a result of one of the following: (i) one vendor is qualified or eligible or is obviously the most qualified, (ii) the good or service is of such a specialized nature or related to geographic area that only a single source could most satisfactorily provide the good or service, (iii) applicable law requires it, or (iv) the grantor requires the sole source procurement; and

WHEREAS, the Town wishes to enter into an agreement with a contractor to install a telephone system to serve the building at 606 Modoc Lane and has obtained the following proposals or estimates (* indicates SDAT good standing), which are attached hereto as Exhibits A, B and C:

Vendor	Description	Cost
Monument Enterprises LLC*	VOIP Phones with (1) 48 port POE switch and 16 phones with kit	\$13,835.91
Cisco Guys (not registered in Md.)	(17) used VOIP phones, and related equipment	\$2,125.00 plus installation and monthly fee

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Adrian Johnson (not registered in Md., likely a sole proprietor)	Wall plate (20), data wall jack (40), coax Jack (1600'), mounting bracket (20), 48 port patch panel, etc. See Estimate dated 8/7/17 for details.	\$5,881.00 (\$4,500 labor and \$1,381 for supplies; estimate monthly fee cost of \$357.26)
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WHEREAS, the Council finds that the circumstances call for modified competitive procurement requirements providing for requests for sealed bids by obtaining quotes instead of sealed bids, and there is a necessity of selecting a vendor immediately in order to avoid costly delays, and that no other source other than the selected vendor reasonably or readily exists to meet the requirements of the Town as determined by the documented research found in the exhibits.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorizes the Mayor to enter into the contract with the following vendor: **Mr. Adrian Johnson** for services stated therein pursuant to the following conditions and terms below.

AND BE IT FURTHER RESOLVED that a contract in the amount not to exceed **\$18,026.66** for the goods and services for this telephone project for the new public works/police station shall be authorized from line item **8038** Modoc Building of the FY2018 Budget.

AND BE IT FURTHER RESOLVED that the Council by two-thirds vote hereby waives the strict competitive bidding requirements of Section 33-63 of the Charter for good cause shown for sole source procurements of unique products and services.

AND BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a written contract with the vendor provided said contract is reviewed by the Town Attorney for legal sufficiency prior to proceeding with the scope of work described in the contract; provided further that said contract is ratified by the Council at a later date.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 2nd day of October 2017.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

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FOR 606 MODOC LANE**

MUHAMMAD

yes

KENNEDY II

Abstain

MCLAURIN

Absent

BARNES

yes

HINES

yes

SMITH-BARNES

yes

BROWNSON

yes

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By:

Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By

Jonathon Kennedy II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 2nd day of October 2017 with (5) Aye votes and (0) Nay (1) Abstain vote the aforesaid Resolution 76-17 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibits A-C, attached hereto.

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